



CITY OF GRAND RAPIDS

Meeting Agenda Full Detail City Council

Wednesday, September 4, 2013

4:00 PM

City Hall Council Chambers

Special Meeting

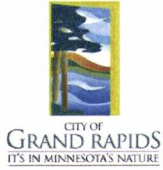
CALL TO ORDER: Pursuant to due notice and call thereof a Regular Meeting of the Grand Rapids City Council will be held on Wednesday, September 4, 2013 at 4:00 p.m. in Conference Room 2A, 420 North Pokegama Avenue, Grand Rapids, Minnesota.

CALL OF ROLL

1. [13-0509](#) Recommended changes to the Chapter 42, 42 Firearms Ordinance and the firearm zones map.
Attachments: [Firearms rough draft](#)
[Firearms Ordinance](#)
[Current Zone](#)
[Firearms Map Proposed 1](#)
[Proposed 1 Amendment Change 1](#)
[Firearms rough draft \(3\)](#)
2. [13-0533](#) 2014 Budget Discussion

ADJOURNMENT

Attest: Tom Pagel, City Administrator



CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 13-0509 **Version:** 2 **Name:** Recommended changes to the Ordinance Sec. 42-42 Firearms and the firearms zones map.
Type: Agenda Item **Status:** Police
File created: 8/21/2013 **In control:** City Council
On agenda: 9/4/2013 **Final action:**
Title: Recommended changes to the Chapter 42, 42 Firearms Ordinance and the firearm zones map.
Sponsors:

Indexes:

Code sections:

Attachments: [Firearms rough draft](#)
[Firearms Ordinance](#)
[Current Zone](#)
[Firearms Map Proposed 1](#)
[Proposed 1 Amendment Change 1](#)
[Firearms rough draft \(3\)](#)

Date	Ver.	Action By	Action	Result
8/26/2013	1	City Council		

Recommended changes to the Chapter 42, 42 Firearms Ordinance and the firearm zones map.

Background Information:

The Police Department is recommending changes to the city's firearms ordinance and firearm zones map, with the annexation now complete and with much new development within the city limits, the police department feels it is necessary to make changes to our current ordinance. Over the past several years the police department has monitored the effectiveness of the current ordinance and has found that the current ordinance is in need of changes.

The police department, city staff and members of the Minnesota DNR have met and discussed the proposed changes. The police department has taken input from the public and City Council and feel that the proposed changes best satisfies all whom have a vested interest.

Attached, you will find copies of the proposed ordinance with text changes denoted in red and blue [Firearms rough draft (3)]. Also attached are copies of the proposed maps indicating the newly proposed zones.

Staff Recommendation:

The Police Department believes the focus should be on the promotion of safe and responsible use of firearms. Staff does not recommend adopting the Proposed 1 Amendment 1 map for the following reasons:

1. High population density in proposed changed area.
2. Proximity of public roadways and walking trails.
3. Rifle zone adjoins no firearms discharge zone.
4. Future changes to real property, examples; sold, sub-divided or clear cut.
5. The discharge of high powered firearms in a populated area by in-experienced persons who may not know how to handle a gun safely.

Staff does recommend adopting recommended text changes and map titled Firearms Map Proposed 1. Under this proposal, Mr. Patzoldt would still have the ability to train for Biathlon events by following the guidelines set forth in section (b) of the proposed ordinance.

Requested City Council Action

Consider adopting an Ordinance amending Chapter 42, Sec. 42 pertaining to Firearms, the firearm zones map and authorize publication in summary form.

Sec. 42-42. Firearms

(a) Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

- (1) The term "firearms" shall mean any device from which may be fired or ejected one or more solid projectiles by means of a cartridge or shell or by the action of an explosive substance; or for which the propelling force is a spring, elastic band, carbon dioxide, air or other gas or vapor.
- (2) Bows and arrows when arrowheads are made of all-steel barbless design, and the blade of high carbon steel more than one inch wide for a single two-edge blade and of more than a three-inch circumference for three or more blades with a weight in excess of 110 grains; or when arrowheads are made with blades of mill-tempered spring steel containing a plastic core or ferrule in excess of such dimensions and with a weight in excess of 90 grains; or when arrows are poisoned or have explosive tips.
- (3) All instruments used to propel a high-velocity pellet of any kind, including but not limited to air rifles and compressed air guns.
- (4) Slingshots.

(5) Any similar type instrument, whether such instrument is called by any name set forth in this definition or any other name. The term "dangerous weapon" does not include a stud gun or nail gun used in the construction industry or children's popguns or toys.

(5)(6) The term "rare circumstances" shall be defined as a condition, fact, or event to be taken into consideration that indicates the probability or improbability of an event.

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(b) Discharge. No person shall discharge within the city in zone one (1) any loaded firearms, slingshot, bow and arrow, air rifle, or other device for throwing projectiles except for any authorized association or club operating a rifle range or other firearms concession with the express permission and authorization of the Chief of Police and or city council. Such permits shall set up specifications as to supervision, locations, and liability insurance. Such groups that may request the use of city property or any privately or publicly held

land, which exists within the city limits, must apply for a permit to conduct activities that involve the discharge of firearms. ~~Such permit requests will only be granted upon a majority vote of a quorum and only after input from the chief of police or designee.~~

(c) Zone two (2). Archery only will be allowed in zone two (2).

(d) Zone three (3). The discharge of a shotgun, shotgun with slugs, a muzzle load and archery will be allowed in zone three (3).

(~~d~~)(e) Zone four (4) The discharge of a rifle, shotgun, shotgun with slugs, a muzzle load and archery will be allowed in zone four (4).

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(e)(~~f~~) Exceptions. This section does not prohibit the use of firearms by duly authorized law enforcement officers within the city. This section does not apply to city officials with proper state and/or federal permits for the purpose of wildlife management to use firearms for said purpose. Additionally, under rare circumstances a permit may be obtained from the Grand Rapids Chief of Police for a temporary ~~or a renewable annual permit of up to five years~~, to allow for the discharge of firearms and/or bows and arrows that would otherwise be prohibited. Each requested permit will be judged on its own merit and if granted may be subject to conditions, terms, time constraints, or other considerations as prescribed by the chief of police after consultation with other city departments.

(~~f~~)(g) The designation of zones as listed above will be reviewed and may be modified by the chief of police after consulting with appropriate city staff and with final approval of the Grand Rapids City Council.

(Code 1978, § 42.15(a), (c); Ord. No. 03-10-13, 10-27-2003; Ord. No. 06-10-05, 10-10-2006; Amd. of 8-31-2011)

State law reference— Authority to prohibit discharge of firearms preserved, Minn. Stat. § 471.633; firearms generally, Minn. Stat. § 624.71 et seq.

Councilor introduced the following ordinance and moved for its adoption:

**CITY OF GRAND RAPIDS
ORDINANCE NO. 13 -**

**AN ORDINANCE AMENDING CHAPTER 42, SECTION 42 PERTAINING TO
FIREARMS OF THE GRAND RAPIDS CITY CODE**

Sec. 42-42. - Firearms.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

(a) Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

- (1) The term "firearms" shall mean any device from which may be fired or ejected one or more solid projectiles by means of a cartridge or shell or by the action of an explosive substance; or for which the propelling force is a spring, elastic band, carbon dioxide, air or other gas or vapor.
- (2) Bows and arrows when arrowheads are made of all-steel barbless design, and the blade of high carbon steel more than one inch wide for a single two-edge blade and of more than a three-inch circumference for three or more blades with a weight in excess of 110 grains; or when arrowheads are made with blades of mill-tempered spring steel containing a plastic core or ferrule in excess of such dimensions and with a weight in excess of 90 grains; or when arrows are poisoned or have explosive tips.
- (3) All instruments used to propel a high-velocity pellet of any kind, including but not limited to air rifles and compressed air guns.
- (4) Slingshots.
- (5) Any similar type instrument, whether such instrument is called by any name set forth in this definition or any other name. The term "dangerous weapon" does not include a stud gun or nail gun used in the construction industry or children's popguns or toys.

- (6) The term “rare circumstances” shall be defined as a condition, fact, or event to be taken into consideration that indicates the probability or improbability of an event.
- (b) Discharge. No person shall discharge within the city in zone one (1) any loaded firearms, slingshot, bow and arrow, air rifle, or other device for throwing projectiles except for any authorized association or club operating a rifle range or other firearms concession with the express permission and authorization of the Chief of Police and or city council. Such permits shall set up specifications as to supervision, locations, and liability insurance. Such groups that may request the use of city property or any privately or publicly held land, which exists within the city limits, must apply for a permit to conduct activities that involve the discharge of firearms.
- (c) Zone two (2). Archery only will be allowed in zone two (2).
- (d) Zone three (3). The discharge of a shotgun, shotgun with slugs, a muzzle load and archery will be allowed in zone three (3).
- (e) Zone four (4) The discharge of a rifle, shotgun, shotgun with slugs, a muzzle load and archery will be allowed in zone four (4).
- (f) Exceptions. This section does not prohibit the use of firearms by duly authorized law enforcement officers within the city. This section does not apply to city officials with proper state and/or federal permits for the purpose of wildlife management to use firearms for said purpose. Additionally, under rare circumstances a permit may be obtained from the Grand Rapids Chief of Police for a temporary permit, to allow for the discharge of firearms and/or bows and arrows that would otherwise be prohibited. Each requested permit will be judged on its own merit and if granted may be subject to conditions, terms, time constraints, or other considerations as prescribed by the chief of police after consultation with other city departments.
- (g) The designation of zones as listed above will be reviewed and may be modified by the chief of police after consulting with appropriate city staff and with final approval of the Grand Rapids City Council.

(Code 1978, § 42.15(a), (c); Ord. No. 03-10-13, 10-27-2003; Ord. No. 06-10-05, 10-10-2006; Amd. of 8-31-2011)

State law reference— Authority to prohibit discharge of firearms preserved, Minn. Stat. § 471.633; firearms generally, Minn. Stat. § 624.71 et seq.

Adopted by the City Council of the City of Grand Rapids, Minnesota, this 26th day of August, 2013.

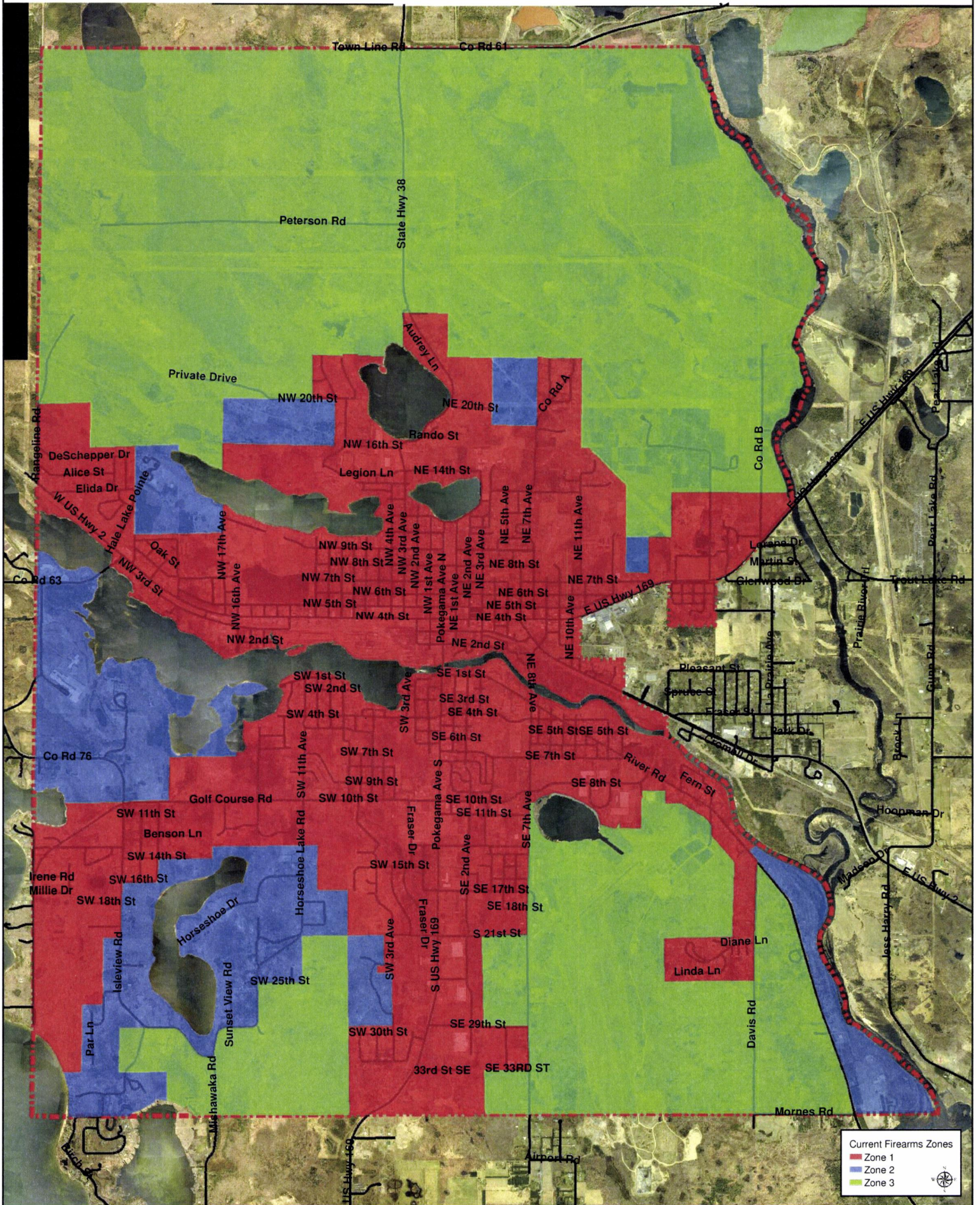
Dale Adams, Mayor

Attest:

Kimberly Johnson-Gibeau, City Clerk

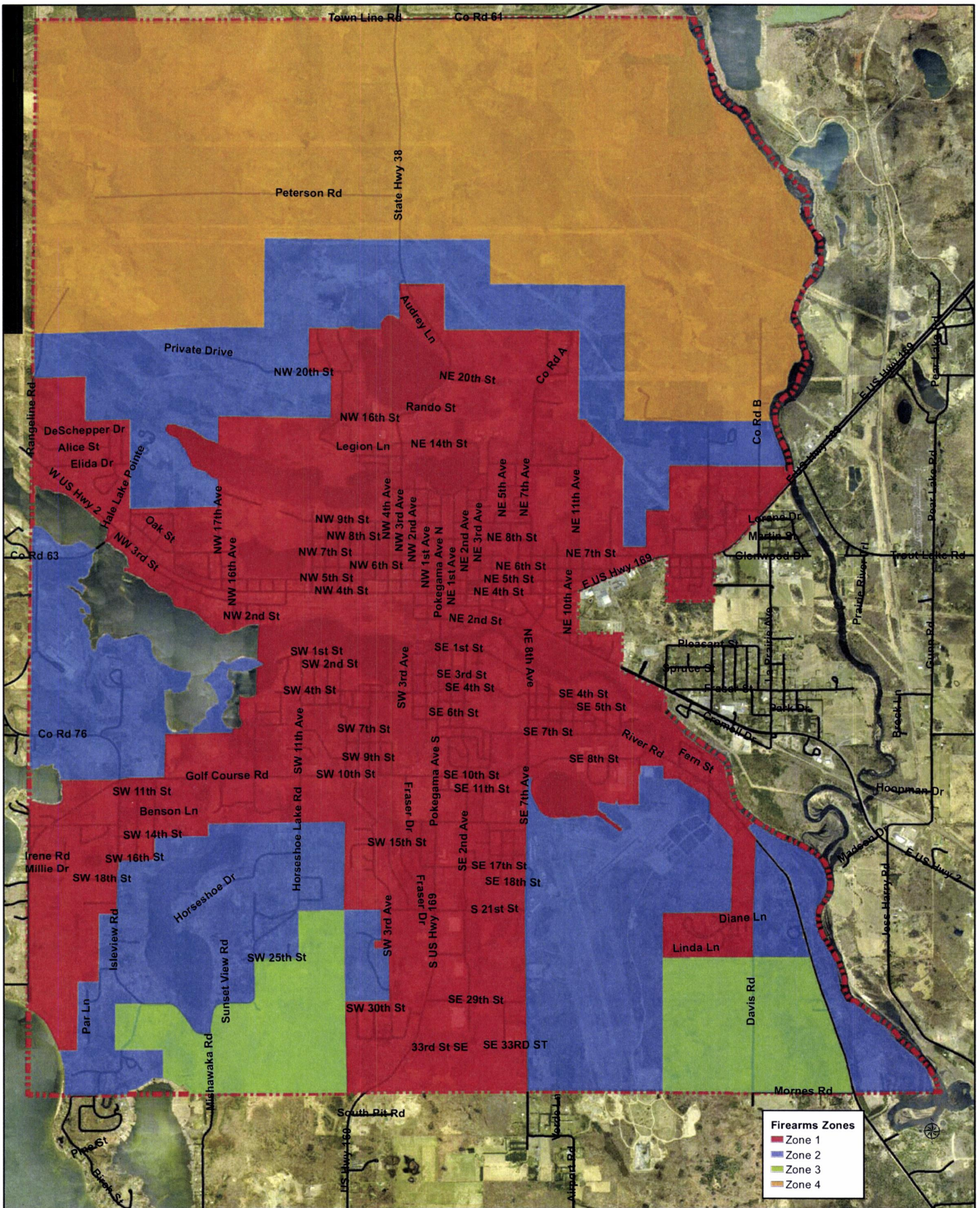
Councilor _____ seconded the foregoing resolution and the following voted in favor thereof:
; Abstain: _____; and the following voted against same: None, whereby the ordinance was declared duly passed and adopted.

Current Firearms Zones

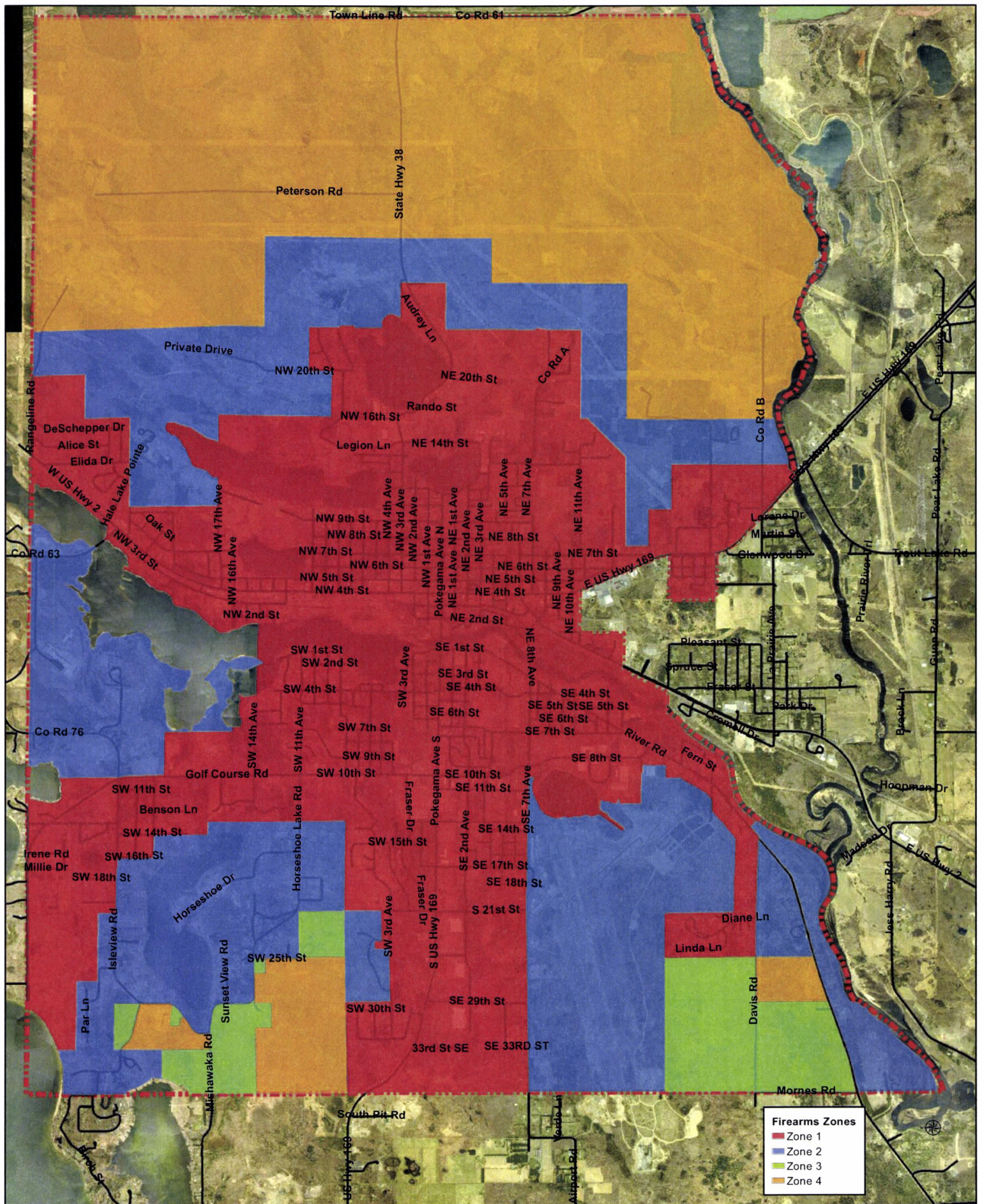


Grand Rapids Firearms Zones

(Revised 2013)



Proposed Firearms Zones - Amendment 1



Sec. 42-42. Firearms

(a) Definitions. The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

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(a)

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~~The term "firearms"~~

(1) ~~The term "firearms" is that as defined by Minnesota Statute Cpt. 97A.015, subd. 19, and as may be modified from time to time. The present definition means a gun that discharges shot or a projectile by means of an explosive, a gas, or compressed air, shall mean any device from which may be fired or ejected one or more solid projectiles by means of a cartridge or shell or by the action of an explosive substance; or for which the propelling force is a spring, elastic band, carbon dioxide, air or other gas or vapor.~~

(2) Bows and arrows when arrowheads are made of all-steel barbless design, and the blade of high carbon steel more than one inch wide for a single two-edge blade and of more than a three-inch circumference for three or more blades with a weight in excess of 110 grains; or when arrowheads are made with blades of mill-tempered spring steel containing a plastic core or ferrule in excess of such dimensions and with a weight in excess of 90 grains; or when arrows are poisoned or have explosive tips.

(3) All instruments used to propel a high-velocity pellet of any kind, including but not limited to air rifles and compressed air guns.

~~Slingshots.~~

(4) Any similar type instrument, whether such instrument is called by any name set forth in this definition or any other name. The term "dangerous weapon" does not include a stud gun or nail gun used in the construction industry or children's popguns or toys.

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~~(6)(5) The term "rare circumstances" shall be defined as a condition, fact, or event to be taken into consideration that indicates the probability or improbability of an event.~~

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(b) Discharge. No person shall discharge within the city in zone one (1) any loaded firearms, ~~slingshot~~, bow and arrow, air rifle, or other device for throwing projectiles except for any

authorized association or club operating a rifle range or other firearms concession with the express permission and authorization of the Chief of Police and or city council. Such permits shall set up specifications as to supervision, locations, and liability insurance. Such groups that may request the use of city property or any privately or publicly held land, which exists within the city limits, must apply for a permit to conduct activities that involve the discharge of firearms. ~~Such permit requests will only be granted upon a majority vote of a quorum and only after input from the chief of police or designee.~~

(c) Zone two (2). Archery only will be allowed in zone two (2).

(d) Zone three (3). The discharge of a shotgun, shotgun with slugs, a muzzle load, or a device firing or ejecting a shot measuring .18 of an inch, or less, in diameter by using compressed air (commonly referred to as a BB gun) -and archery will be allowed in zone three (3).

~~(d)(e) Zone four (4) The discharge of a rifle, shotgun, shotgun with slugs, a muzzle load firearms and archery will be allowed in zone four (4).~~

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~~(e)(f)~~ (f) Exceptions. This section does not prohibit the use of firearms by duly authorized law enforcement officers within the city. This section does not apply to city officials with proper state and/or federal permits for the purpose of wildlife management to use firearms for said purpose. Additionally, under rare circumstances a permit may be obtained from the Grand Rapids Chief of Police for a temporary ~~or a renewable annual~~ permit ~~of up to five years~~, to allow for the discharge of firearms and/or bows and arrows that would otherwise be prohibited. Each requested permit will be judged on its own merit and if granted may be subject to conditions, terms, time constraints, or other considerations as prescribed by the chief of police after consultation with other city departments.

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State law reference— Authority to prohibit discharge of firearms preserved, Minn. Stat. § 471.633; firearms generally, Minn. Stat. § 624.71 et seq.



CITY OF
GRAND RAPIDS
IT'S IN MINNESOTA'S NATURE

CITY OF GRAND RAPIDS

Legislation Details (With Text)

File #: 13-0533 **Version:** 1 **Name:**
Type: Agenda Item **Status:** Finance
File created: 8/29/2013 **In control:** City Council
On agenda: 9/4/2013 **Final action:**
Title: 2014 Budget Discussion

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
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2014 Budget Discussion